CHANGES TO APPOINTMENTS FOR SOME NON-GME FELLOWS

In discussions with the Office of Compliance, we are planning changes for how we appoint some advanced clinical trainees in the School of Medicine & Dentistry. Some who formerly would have been appointed as Departmental Fellows will now be appointed as primary faculty at the Instructor level. These changes are required for appointments beginning as of July 1, 2023.

- No changes to the ACGME Fellowship Program
- Non-ACGME Fellows
  - GME NST Fellowship – if a fellowship program will consider J1 trainees in their application process; administered through the GME Office
  - “Departmental Fellows” – will now be appointed as Instructors
- Training programs may not “switch” between Instructor appointments and GME NST Fellowship

The changes apply to whom?
Physicians who have completed a residency program and are pursuing subspecialty expertise in a field for which we do not have an ACGME-accredited fellowship program. (They do not apply to AGME fellows, who will continue to be appointed by the GME Office as is done currently.)

Can these physician trainees be appointed in the SMD as a Departmental Fellow?
The short answer is no. If a department fellowship program never wants to consider a J1 trainee or place a J1 trainee’s name on a match list, the program will be administered by the Department and appointed through the Academic Affairs Office. The trainees will be appointed as Instructors.

If a fellowship is designated to recruit and train J1 visa holders as well as other individuals, it must be Graduate Medical Education Committee (GMEC) approved as a GME NST program. GME has developed guidelines for these programs as well as a program approval application form. These guidelines are a combination of ACGME-NST, ECFMG, NYS, and UR policies. The administration, assessment, and oversight of these NST programs as well as the appointment of these fellows is the responsibility of the GME Office. Please remember that your department fellowship program cannot offer a position to a J1 trainee or place a J1 trainee’s name on a match list until it is approved as a NST program.

In the past, some Fellows have been able to moonlight as attendings, is that still possible?
Yes, NST Fellows who are licensed in NYS may be given secondary faculty appointments as an Instructor, for the purposes of seeing patients outside of the area of their fellowship training. Such secondary faculty appointments require an approved Independent Practice Agreement.

Please note that trainees on a training visa (such as J-1) are not able to practice and bill independently, so a secondary faculty appointment as Instructor would not be appropriate.

How do I appoint them as Instructor? What is different than hiring a Departmental Fellow?
There’s lots of differences, since they are being hired as faculty members. Specifically:

- The hire must go through all the usual steps of faculty hiring — job posting with minimum 30-day posting period, recruitment form with financial approvals, offer letter routed
through Academic Affairs for signature by the Dean, etc. Many training program directors may not be familiar with these steps – but your department chair office is, please work closely with them, and they in turn will work with Office of Counsel and Academic Affairs as per usual faculty hiring processes.

- If a program acquires candidates via the match, the UR posting must be posted PRIOR to the Match process, and posting must explicitly direct candidates to the match program.

- The Instructor offer letter can mention that their duties during the appointment period will consist of fellowship training in area X. This allows the person to list both the faculty appointment and the fellowship on their CV.

- Optionally, the offer letter can mention that the appointment is for one year, is finite, and will not be renewed. This saves the department from having to give written notice of intent to not reappoint them at the end of the year. (If they stay on as faculty, then they can be hired into the new position with a new offer letter.)

**What should the salary be for an Instructor doing fellowship training?**

There is no one right answer that will work for all departments. For some departments, it may be most equitable to pay the Instructor the equivalent of a PGY-X salary (where X = years out from their physician degree), or to pay them the same as Departmental Fellows at a comparable level of training. For some departments, it may be more equitable to pay them more than GME or non-GME-Departmental Fellows earn (because the Instructors are billing for services independently), but less than other junior faculty members (who are not doing fellowship training) since the Instructor/fellow’s clinical productivity will usually be less than someone who is not being supervised and trained. As long as the department has an approach that is fair and applied equitably – and of course, as long as the requisite financial approvals are obtained – the approach will be supported by the Dean’s Office.